

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DASHON HINES,

Plaintiff,

-against-

NHL,

Defendant.

22-CV-7972 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff Dashon Hines brings this *pro se* action under Title VII of the Civil Rights of 1964 (“Title VII”), alleging that Defendant National Hockey League (“NHL”) discriminated and retaliated against him on the basis of his race. Plaintiff’s complaint was filed without the \$402.00 in fees – a \$350.00 filing fee plus a \$52.00 administrative fee – or a completed and signed request to proceed *in forma pauperis* (IFP), that is, without prepayment of fees. See 28 U.S.C. §§ 1914, 1915. The Court dismisses the complaint for the following reasons.

Plaintiff has previously submitted to this court a substantially similar complaint alleging Title VII claims against the NHL. That case is presently pending in this court under docket number ECF 1:22-CV-7756, 1. As this complaint raises the same claims, no useful purpose would be served by litigating this duplicate lawsuit. Therefore, this complaint is dismissed without prejudice to Plaintiff’s pending case under docket number 1:22-CV-7756.

CONCLUSION

Plaintiff is granted IFP status under 28 U.S.C. § 1915(a)(1) for the limited purpose of dismissing this complaint without prejudice. Plaintiff’s complaint is dismissed as duplicative of 1:22-CV-7756.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and therefore IFP status is denied for the purpose of an appeal.

See Coppededge v. United States, 369 U.S. 438, 444-45 (1962).

The Clerk of Court is directed to enter judgment in this case.

SO ORDERED.

Dated: October 26, 2022
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge